

REMARKS

Claims 1, 2, 5, 6, 22 and 23 are pending in this application. By this Amendment, claims 1, 2, 5, and 22 are amended, and claim 11 is canceled. Support for the amendments to the claims may be found, for example, in the specification at paragraphs [0032]-[0044]; Figs. 7-10; and the claims as originally filed. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Telephone Interview

The courtesies extended to Applicants' representative by Examiner Ouellete during the interview held December 22, 2008 are appreciated. The reasons presented during the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

II. Rejections Under 35 U.S.C. §103

A. Claims 1, 2, 5, 6 and 11

The Office Action rejects claims 1, 2, 5, 6 and 11 under 35 U.S.C. §103(a) as obvious over U.S. Patent Application Publication No. 2002/0105665 to Wasilewski et al. ("Wasilewski"). By this Amendment, claim 11 is canceled, rendering its rejection moot. As to the remaining claims, Applicants respectfully traverse the rejection.

Wasilewski at least fails to teach or suggest the steps of "displaying transaction types for selection, the transaction types comprising a purchase blank media transaction type and a transfer computer file from portable electronic device to blank media transaction type, wherein a selection of the purchase blank media transaction type effectuates a direct

distribution of blank media; [and] accepting a selection of the transfer computer file from portable electronic device to blank media transaction type" as required by claim 1.¹

Wasilewski is silent on both "a purchase blank media transaction type" and "a transfer computer file from portable electronic device to blank media transaction type." Wasilewski is primarily directed to providing imaging products, financial products or a combination of the two at a kiosk. See Abstract. The kiosk of Wasilewski is not designed to vend blank media itself or vend information carrying media converted from blank media upon writing a computer file into the blank media from a portable electronic device.

Thus, Wasilewski would not have rendered obvious claim 1. Claims 2, 5 and 6 depend from claim 1 and, thus, also would not have been rendered obvious by Wasilewski for at least the same reasons. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

B. Claims 22 and 23

The Office Action rejects claims 22 and 23 under 35 U.S.C. §103(a) as obvious over Wasilewski. Applicants respectfully traverse the rejection.

Wasilewski fails to teach or suggest that "the distribution of blank sheet storage media is in response to a user selecting a transaction type for distributing blank sheet media" and "the distribution of blank electronic storage media is in response to a user selecting a transaction type for distributing blank electronic storage media" as required by claim 22. As discussed above with respect to claim 1, the kiosk of Wasilewski is not designed to vend blank media.

¹ Applicants respectfully submit that the emphasized features are transaction types and not the first recitation of the blank media, computer file and portable electronic device required by claim 1.

Thus, Wasilewski would not have rendered obvious claim 22. Claim 23 depends from claim 22 and, thus, also would not have been rendered obvious by Wasilewski for at least the same reasons. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of this application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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